

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

Entered July 20, 1989

IN THE MATTER OF PENDING           §  
NATURALIZATION PETITIONS       §

**ORDER NO. 89-28**

ORDER SETTING HEARING

The Court having been informed through news media reports that the Immigration and Naturalization Service has a heretofore undisclosed backlog of pending petitions for naturalization which it is alleged have been delayed due to an inadequate number of naturalization ceremonies, accordingly

ORDERS that Mr. Ronald G. Parra, Houston District Director, and Mr. Michael D. McMahon, Houston Deputy District Director, appear for a conference on Friday, July 28, 1989 at 10:00 a.m. in Courtroom No. 3, 515 Rusk, 9th Floor, Houston, Texas, together with such members of their staff as necessary to provide the Court with appropriate information to enable the Court to determine the frequency of hearings necessary to eliminate any existing backlog of petitions for naturalization and to timely process additional petitions that may be readied during the balance of the year.

The Immigration and Naturalization Service should be prepared to discuss and recommend any modifications in the procedures which are being followed.

The current practice is that in the latter part of each calendar year, the Immigration and Naturalization Service files with the Court a requested schedule of hearings. The agency requested five hearings for 1987 and again for 1988 and seven hearings for 1989, together with suggested

dates for these hearings. All requests were honored and the Court set naturalization ceremonies accordingly. Two of those hearings (January 29, 1988 and July 8, 1988) were canceled at the request of the Immigration and Naturalization Service. Later the July hearing was reinstated at the request of Mr. Parra and 88 petitioners were presented by the Service at the ceremony.

There have been occasions when the agency has requested hearings for one petitioner only and without exception these hearings have been immediately, held. In short, the Immigration and Naturalization Service has been given total and absolute discretion as to when petitions of citizenship are heard. The only practice the Court has discouraged has been the stockpiling of applications of citizenship to enable the agency to have annual extravaganzas. An example of this technique is the agency's cancellation of the January 1988 citizenship ceremony. More than five months elapsed between group citizenship hearings to enable the agency to have the "record breaker" at the end of April, 1988. (See attached report of activity).

The Court felt that the additional delay in Granting citizenship to waiting petitioners, security problems and costs were too high a price to pay for what Mr. McMahon terms an inspirational sight." This was more fully explained in a letter over a year ago, a copy of which was sent to Mr. Parra. Since there has been no acknowledgment of it nor response to the critique, it was assumed there was none.

The problem publicized by the agency may be quickly and easily solved. The Court can readily set multiple group hearings consistent with agency capabilities, to eliminate any backlog within 60 days and also process petitions readied in the interim. But the media is hardly the appropriate means of effective communication between the Court and the agency. Hence this hearing. It is further

ORDERED that the United States Marshal serve Mr. Parra and Mr. McMahon with this notice of hearing.

Dated this 22nd day of July, 1989.

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James DeAnda  
Chief Judge  
United States District Court